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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/900,963	07/10/2001	Claudine Guerin-Marchand	010830-118	8667
21839	7590	08/21/2006		
BUCHANAN, INGERSOLL & ROONEY PC POST OFFICE BOX 1404 ALEXANDRIA, VA 22313-1404				
EXAMINER LUCAS, ZACHARIAH				
ART UNIT 1648				
PAPER NUMBER				

DATE MAILED: 08/21/2006



Please find below and/or attached an Office communication concerning this application or proceeding.

URGENT

1010830-000118

TSR/DHY

BUCHANAN INGERSOLL PC
AUG 22 2006
DOCKETED 8-22-06 BH

RECEIVED. Due 9-21-06

Art Unit: 1648



*Notice of Non-Responsive Amendment*

The reply filed on August 9, 2006 is not fully responsive to the prior Office Action because of the following omission(s) or matter(s): See, below. See 37 CFR 1.111. Since the above-mentioned reply appears to be *bona fide*, applicant is given **ONE (1) MONTH or THIRTY (30) DAYS** from the mailing date of this notice, whichever is longer, within which to supply the omission or correction in order to avoid abandonment. **EXTENSIONS OF THIS TIME PERIOD MAY BE GRANTED UNDER 37 CFR 1.136(a).**

2. The application was objected to for not complying with the sequence rules. The Applicant attempted to correct most of the cited problems by Substitute Specification. However, the substitute specification indicated that material that had previously been entered into the application in the preliminary amendment of December 2005 was only now being entered. Under 35 U.S.C. 1.125(b), a substitute specification must show all the changes being made to the specification "relative to the immediate prior version of the specification of record." Thus, the changes in the present specification must be shown relative to the specification as amended in December 2005. In view of the above, the substitute specification has not been entered because it does not conform to 37 CFR 1.125(b) and (c). Because the substitution specification is not compliant and has not been entered, the Applicant has not fully responded to the Sequence Compliance letter.

Further, the application has not addressed the lack of compliance with the sequence rules of claim 31, which still refers to a sequence without reference to the appropriate SEQ ID NO.

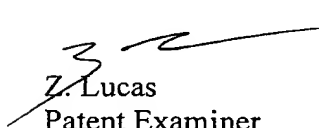
Application/Control Number: 09/900,963  
Art Unit: 1648

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3. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Zachariah Lucas whose telephone number is 571-272-0905. The examiner can normally be reached on Monday-Friday, 8 am to 4:30 pm.

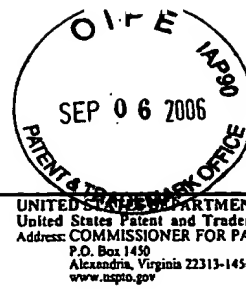
If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Bruce Campell can be reached on 571-272-0974. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

  
Z. Lucas  
Patent Examiner



UNITED STATES PATENT AND TRADEMARK OFFICE



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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/900,963	07/10/2001	Claudine Guerin-Marchand	010830-118	8667
21839	7590	05/09/2006		
BUCHANAN INGERSOLL PC (INCLUDING BURNS, DOANE, SWECKER & MATHIS) POST OFFICE BOX 1404 ALEXANDRIA, VA 22313-1404				
EXAMINER LUCAS, ZACHARIAH				
ART UNIT		PAPER NUMBER		
1648				

DATE MAILED: 05/09/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

**Notice To Comply With Requirements For Patent Applications Containing  
Nucleotide Sequence And/Or Amino Acid Sequence Disclosures**

1. This application contains sequence disclosures that are encompassed by the definitions for nucleotide and/or amino acid sequences set forth in 37 CFR 1.821(a)(1) and (a)(2). However, this application fails to comply with the requirements of 37 CFR 1.821 through 1.825 for the reason(s) set forth below.

This application contains several disclosures of sequences in the specification. See e.g., pp. 9 (referring to the first 153 amino acids of the sequence of figure 7), 11 (referring to the sequences of shown in several of the figures), 29 (referring to the sequence of Figure 1), and claim 31 (referring to the sequence of Figure 7). However, the specification does not identify each of these sequences by the sequence identifier assigned to them in the sequence listing as required by 37 CFR 1.821(d). The examiner would like to bring the applicant's attention to the following excerpt from MPEP §2422.03:

37 CFR 1.821(d) requires the use of the assigned sequence identifier in all instances where the description or claims of a patent application discuss sequences regardless of whether a given sequence is also embedded in the text of the description or claims of an application. This requirement is also intended to permit references, in both the description and claims, to sequences set forth in the "Sequence Listing" by the use of assigned sequence identifiers without repeating the sequence in the text of the description or claims. Sequence identifiers can also be used to discuss and/or claim parts or fragments of a properly presented sequence. For example, language such as "residues 14 to 243 of SEQ ID NO:23" is permissible and the fragment need not be separately presented in the "Sequence Listing." Where a sequence is embedded in the text of an application, it must be presented in a manner that complies with the requirements of the sequence rules.

The applicant is therefore required to amend the specification to comply with 37 CFR 1.821(d).

2. Applicant is given ONE MONTH, or THIRTY DAYS, whichever is longer, from the mailing date of this letter within which to comply with the sequence rules, 37 CFR 1.821 - 1.825. Failure to comply with these requirements will result in ABANDONMENT of the application under 37 CFR 1.821(g). Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a). In no case may an applicant extend the period for reply beyond the SIX MONTH statutory period. Direct the reply to the undersigned. Applicant is requested to return a copy of the attached Notice to Comply with the reply.

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5/8/06



**THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re Patent Application of	)	
Claudine GUERIN-MARCHAND et al.	)	Group Art Unit: 1648
Application No.: 09/900,963	)	Examiner: Z. Lucas
Filing Date: July 10, 2001	)	Confirmation No.: 8667
Title: PEPTIDE SEQUENCES SPECIFIC	)	
FOR THE HEPATIC STAGES OF P.	)	
FALCIPARUM BEARING EPITOPES	)	
CAPABLE OF STIMULATING THE T	)	
LYMPHOCYTES	)	

**AMENDMENT/REPLY TRANSMITTAL LETTER**

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

Enclosed is a reply for the above-identified patent application.

- ☐ A Petition for Extension of Time is enclosed.
- ☐ \_\_\_\_\_ Terminal Disclaimer(s) and the ☐ \$ 65 ☐ \$ 130 fee per Disclaimer due under 37 C.F.R. § 1.20(d) are enclosed.
- ☒ Also enclosed is/are: Response to Notice of Non-Responsive Amendment; Notice of Non-Compliant Amendment dated 8/21/2006 (copy); Notice to Comply dated 5/9/2006 (copy); Response to Restriction Requirement and Amendment; Clean Copy of Substitute Specification (47 pages); Marked-Up Copy of Substitute Specification (47 pages); Marked-Up Copy of Figures 1-7A, 8, 9A, 9D, 10A and 10D
- ☐ Small entity status is hereby claimed.
- ☐ Applicant(s) requests continued examination under 37 C.F.R. § 1.114 and enclose the ☐ \$ 395 ☐ \$ 790 fee due under 37 C.F.R. § 1.17(e).
- ☐ Applicant(s) requests that any previously unentered after final amendments not be entered. Continued examination is requested based on the enclosed documents identified above.
- ☐ Applicant(s) previously submitted \_\_\_\_\_ on \_\_\_\_\_ for which continued examination is requested.

- ☐ Applicant(s) requests suspension of action by the Office until at least \_\_\_\_\_, which does not exceed three months from the filing of this RCE, in accordance with 37 C.F.R. § 1.103(c). The required fee under 37 C.F.R. § 1.17(i) is enclosed.
- ☐ A Request for Entry and Consideration of Submission under 37 C.F.R. § 1.129(a) (1809/2809) is also enclosed.
- ☒ No additional claim fee is required.
- ☐ An additional claim fee is required, and is calculated as shown below:

AMENDED CLAIMS					
	No. of Claims	Highest No. of Claims Previously Paid For	Extra Claims	Rate	Additional Fee
Total Claims	0	20	0	x \$ 50 (1202)	\$ 0
Independent Claims	0	3	0	x \$ 200 (1201)	0
<input type="checkbox"/> If Amendment adds multiple dependent claims, add \$ 360 (1203)					\$ 0
<b>Total Claim Amendment Fee</b>					<b>\$ 0</b>
<input type="checkbox"/> Small Entity Status claimed - subtract 50% of Total Claim Amendment Fee					0
<b>TOTAL ADDITIONAL CLAIM FEE DUE FOR THIS AMENDMENT</b>					<b>\$ 0</b>

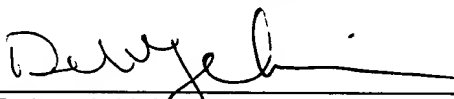
- ☐ Charge \_\_\_\_\_ to Deposit Account No. 02-4800 for the fee due.
- ☐ A check in the amount of \_\_\_\_\_ is enclosed for the fee due.
- ☐ Charge \_\_\_\_\_ to credit card for the fee due. Form PTO-2038 is attached.
- ☒ The Director is hereby authorized to charge any appropriate fees under 37 C.F.R. §§ 1.16, 1.17 and 1.20(d) and 1.21 that may be required by this paper, and to credit any overpayment, to Deposit Account No. 02-4800. This paper is submitted in duplicate.

Respectfully submitted,

BUCHANAN INGERSOLL & ROONEY PC

Date September 6, 2006

By:

  
Deborah H. Yellin  
Registration No. 45,904

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